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DS Services of America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARLOS ZARATE,

Plaintiff,

v.

DS SERVICES OF AMERICA, INC; and
DOES 1 through 50, inclusive,

Defendants.

Case No. 5:15-cv-01871 NC

**STIPULATED DISMISSAL WITH
PREJUDICE PURSUANT TO FRCP
41(a)(1)(A)(ii); ORDER**

State Court Complaint Filed: 10/01/2014
Notice of Removal Filed: 04/27/2015

IT IS HEREBY STIPULATED by Plaintiff Carlos Zarate on the one hand and Defendant DS Services of America, Inc. on the other hand, by and through their counsel of record and pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) that the above-captioned action be dismissed with prejudice with each party to bear its own attorney fees and costs.

1 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

3 FITZPATRICK, SPINI & SWANSTON

4 Dated: November 5, 2015

By: /s/ Samuel Forbes-Roberts
B. James Fitzpatrick, Esq.
Samuel Forbes-Roberts, Esq.
Attorneys for Plaintiff

SEYFARTH SHAW LLP

7 Dated: November 5, 2015

By: /s/ Duwayne A. Carr
Catherine M. Dacre, Esq.
Duwayne A. Carr, Esq.
Attorneys for Defendant

11 **ORDER**

12 Based on the stipulation of the parties, and good cause appearing therefor, IT IS
13 HEREBY ORDERED that the above-captioned action be and hereby is dismissed with prejudice
14 with each party to bear its own attorneys' fees and costs.

16 Dated: November 5, 2015

